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Attorneys for Defendant  
EMPORIUM LEATHER COMPANY, INC., A New  
Jersey Corporation doing business as ROYCE  
LEATHER

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VALLAVISTA CORPORATION, a  
California corporation,

Plaintiff,

v.

AMAZON.COM, INC., a Delaware  
corporation, TARGET CORPORATION, a  
Minnesota corporation, EBAGS, INC., a  
Colorado corporation, EMPORIUM  
LEATHER COMPANY, INC., a New  
Jersey corporation, doing business as  
ROYCE LEATHER, and FASHION  
HANDBAGS, INC., a Nevada corporation,  
doing business as BO BO BAGS,

Defendants.

CASE NO. C07-05360 WHA

**DECLARATION OF ELISE R. VASQUEZ  
IN RESPONSE TO ORDER TO SHOW  
CAUSE**

Date: February 28, 2008  
Time: 11:00 a.m.  
Ctrm: 9  
Judge: Hon. William Alsup

I, Elise R. Vasquez declare as follows:

1. I am a partner with the law firm of Ropers, Majeski, Kohn & Bentley and counsel for Emporium Leather Company, Inc., defendant herein, on whose behalf I make this declaration. If called as a witness, I would competently testify to the following facts, all of which are within my own personal knowledge.

2. Late Friday afternoon of February 22, 2008, I was retained as counsel for Emporium Leather Company, Inc., to finalize a settlement Emporium had reached with Plaintiff.

1           3.       Enclosed in the case file materials forwarded to me by Emporium was copy of the  
2 Order to Show Cause.

3           4.       After retention by Emporium to represent it in a finalizing settlement, I  
4 immediately called this Court to advise it that a settlement had been reached between Emporium  
5 and VallaVista and to ask if a response to the Order to Show Cause was still required by the  
6 Court.

7           5.       I received a message today from Ms. Toland that a response was still required.

8           6.       I immediately researched the docket in this matter and saw that no stipulation had  
9 been filed in regards to the extensions granted by plaintiff's counsel to Emporium in which to  
10 respond to the Complaint and that no appearance had been made by Emporium.

11          7.       A Notice of Settlement will be filed within the next few days with this Court and it  
12 is anticipated that a dismissal will be filed within thirty (30) days.

13               I declare under penalty of perjury under the laws of the United States of America that the  
14 foregoing is true and correct, and that this declaration was executed on February 25, 2008, at  
15 Redwood City, California.

16  
17                               /s/ Elise R. Vasquez  
                                  ELISE R. VASQUEZ